

## REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

**1. Applicant's election without traverse of Group II in Paper No. 8 is acknowledged.**

The applicant has shown the non-elected claims as withdrawn.

**2. Claim 40 is objected to because of the following informalities: as written, the claim depends from a cancelled claim (claim 1). Applicant is requested to either cancel the claim or amend the claim to depend from a pending method claim. Appropriate correction is required.**

Done.

**3. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 14 recites the limitation "to be converted to said signal" in line 4. The phrase lacks clear antecedent basis because the voiced utterance is already converted into a corresponding signal on lines 2-3.

Claim 14 recites the limitation "said command" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 has been amended.

**4. Claim 14 is rejected under 35 U.S.C. 102(e) as being anticipated by Goldhor (US Patent No. 5,231,670).**

**5. Regarding claim 14, Goldhor teaches a voice user interface device comprising means for converting a voiced utterance into a corresponding signal as an input to a computer and means for converting a voiced utterance as either one to be converted to said signal or as one to be converted to said command (Figure 1, elements 12, 14, 16, 18, "recognizer"; col. 1, lines 17-20 55-68; col. 2, lines 1-2; col. 4, lines 10-13; col. 6, lines 46-48),**

As amended, claim 14 recites that the internal command is a command "to adjust the set of voiced utterances" that the means for converting is configured to convert. None of the cited portions of Goldhor describes or suggests such an internal command that adjusts the set of utterances.

Goldhor's text generating system can convert voiced utterances into executable commands that control operation of a voice recognizer relied upon by the text generating system (col. 4, lines 10-15), for example, commands to identify incorrect recognitions (col. 2, lines 17-21; col. 5, lines 44-46; col. 11, lines 53-67; col. 12, lines 4-11, lines 22-26, 29-44); to teach the recognizer to learn from correct and incorrect recognitions (col. 13, lines 19-35); to adapt the recognizer's performance to a particular speaker's voice (col. 8, Tines 49-51; col. 13, Tines 19-35); and to reset the state of the recognizer (col. 4, lines 14-15; col. 5, lines 56-66; col. 10, lines 47-52). But Goldhor neither describes nor suggests an internal command that adjusts a set of voiced utterances that a converter is configured to convert.

6. **Claims 6-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldhor (US Patent No. 5,231,670) in view of McKiel (US Patent No. 5,133,011).**

8. **Claims 35-39 and 41-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKiel (US Patent No. 5,133,011).**

The applicant respectfully notes that the McKiel patent does not appear to be a reference that is prior under section 103(a). McKiel's effective filing date (December 26, 1990) is about eighteen months after the applicant's effective filing date (June 23, 1989). Therefore the rejections are ineffective to render the claims unpatentable.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

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Page : 14 of 14

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Enclosed is a check for \$950 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 9/27/01



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